

## **REMARKS**

In view of the above amendments and the following remarks, further examination and reconsideration of the objections and rejections in the Office Action of September 9, 2008 are respectfully requested.

On page 2 of the Office Action, the disclosure is objected to due to an informality. The amendment has been amended specifically to address this objection. Thus, this objection is no longer applicable to the specification, and its withdrawal is requested.

On pages 2 and 3 of the Office Action, claims 8, 9, and 12 are objected to due to informalities. This objection is moot with respect to claims 8, 9, and 12 in view of their cancellation; furthermore, new claims 22-37 have been drafted to avoid the items indicated in the objection to claims 8, 9, and 12. Thus, this objection is believed inapplicable to new claims 22-37, and its withdrawal is respectfully requested.

On pages 3 and 4 of the Office Action, claim 20 and 21 are rejected under 35 USC § 101 as directed to non-statutory subject matter. This rejection is moot with respect to claims 20 and 21 in view of their cancellation; furthermore, new claims 22-37 have been drafted to be directed to statutory subject matter. Thus, this rejection is believed inapplicable to new claims 22-37, and its withdrawal is respectfully requested.

On pages 5-9 of the Office Action, claims 1-6 and 16-21 are rejected under 35 USC § 102(e) as being anticipated by US 2003/0152222 to Nakano et al. (Nakano); on pages 9-13 of the Office Action, claims 7-15 are rejected under 35 USC § 103(a) as being unpatentable over Nakano in view of US 6,240,401 to Oren et al. (Oren). These rejections are moot with respect to claims 1-21 in view of the cancellation of these claims. Further, new claims 22-37 have been drafted to more clearly distinguish the claims over the prior art of record. Thus, these rejections are believed inapplicable to new claims 22-37 for the reasons below, and withdrawal of these rejections is respectfully requested.

Claim 22 recites a content reproduction system having, in part, a removable recording medium operable to store a master key that is common to the plurality of contents and rule

information that indicates a use rule that is common to the plurality of contents, and a content distribution apparatus including a distribution unit operable to distribute an encrypted content and an encrypted content key associated with the encrypted content to the reproduction apparatus in response to a request from the reproduction apparatus, without using the recording medium. Claim 22 further recites a reproduction apparatus including an acquiring unit operable to request an encrypted content from the content distribution apparatus, and to acquire the requested encrypted content and an encrypted content key associated with the encrypted content, without using the recording medium. Thus, in the present invention as recited in claim 22, the master key is stored in the recording medium, while the encrypted content key and the encrypted content are acquired by the reproduction apparatus without using the recording medium.

This is not disclosed in the prior art of record. Nakano discloses a copyright protection system in which all the encryption information is stored in the recording medium (see, for example, the abstract of Nakano). Oren also does not disclose the above features, nor was it relied on as disclosing such in the Office Action.

Claims 24 and 34 recite a reproduction apparatus and a content distribution apparatus, respectively, for use in a content reproduction system. These claims are believed allowable for reasons similar to the above.

Claims 36 and 37 recite a reproduction method and a computer-readable storage medium storing a reproduction program, respectively, corresponding to the reproduction apparatus in claim 22. These claims are also believed allowable for reasons similar to the above.

Accordingly, it is believed that claims 22, 24, 34, 36, and 37 are not disclosed or suggested by Nakano and Oren. It is submitted that claims 22, 24, 34, 36, and 37, as well as claims 23, 25-33, and 35 depending therefrom, are allowable over the prior art of record.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this Amendment, the Examiner feels that there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Masato YAMAMICHI et al.

/Aldo A. D'Ottavio/

By: 2009.02.09 17:30:40 -05'00'

Aldo A. D'Ottavio

Registration No. 59,559

Agent for Applicants

AAD/JRF/kh

Washington, D.C. 20006-1021

Telephone (202) 721-8200

Facsimile (202) 721-8250

February 9, 2009